

A NOTICE OF PUBLIC HEARING, PENFIELD ZONING BOARD OF APPEALS LEGAL NOTICE WITH TABLED MATTERS

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, April 15, 2021, immediately following a work session meeting commencing at 6:00 PM local time. The board will discuss tabled matters and other business that may come before it during the work session, followed by a Public Hearing to consider each of the following applications.

Unless permitted to take place remotely, the hearing will be held at the Town Hall, 3100 Atlantic Avenue, Penfield, New York 14526.

However, if permitted to do so in accordance with the Governor's Executive Orders, including Executive Order 202.1, which suspended certain provisions of the Open Meetings Law to address the state of emergency related to COVID-19, the April 15, 2021 Zoning Board of Appeals meeting will be held remotely, and in-person public access to the Town Hall facility will not be permitted. As of the date of this public notice, remote meetings are permitted through April 20, 2021, therefore, it is anticipated that this public hearing will be held remotely. A determination whether the public hearing will take place with in-person participation or only remotely will be posted on the town's website www.penfield.org, and will be available by contacting the Building & Zoning Department at (585) 340-8636.

Regardless of whether the public hearing takes place with in-person participation or remotely, this meeting will be video recorded and broadcast LIVE via the town's website www.penfield.org, on the Town's Government Access Cable Channel 1303, and on streaming media device: ROKU, Apple TV, and Amazon Fire. Search "Penfield TV" in your device's app store, it is free. If required, the meeting will be later transcribed. For questions regarding video coverage please contact Penfield TV at (585) 340-8661.

For a remote meeting, there will be "public participation" opportunities for each public hearing application listed below. The chairman of the board will announce the appropriate time for public participation for each application. To address the board during the public participation portion of the meeting please call (585) 340-8771 to be connected with Penfield TV, or complete an electronic submission form that will be available on the town's website www.penfield.org the day of the meeting.

Prior to the meeting, the Building & Zoning Department will also accept public comments via email at building@penfield.org. All public comments sent via email must include name and address for the record, and reference the application number.

Public Hearing Applications:

1. Paul Dondorfer, 68 Woodside Drive, Penfield, NY, 14526 requests an Area Variance under Section 250-14.3 of the Code to allow a shed with less setback than required under Section 250-5.1-F (12) (b) of the Code at 68 Woodside Drive. The property is currently or formerly owned by Paul Dondorfer and is zoned R-1-15. SBL #139.10-3-82. Application #21Z-0011.

2. Martin Schutt, 1050 Plank Road, Webster, NY, 14580 requests an Area Variance under Section 250-14.3 of the Code to allow a barn with less setback then required under Section 250-5.1-F (8) of the Code at 1068 Plank Road. The property is currently or formerly owned by Martin Schutt and is zoned RR-1. SBL #94.04-1-30.101. Application #21Z-0012.
3. Francis Cioppa, 2 Colonial Drive, Penfield, NY, 14526, requests an Area Variance under Section 250-14.3 of the Code to allow a larger shed than permitted under Section 250-5.1-F (12) (a) of the Code at 2 Colonial Drive. The property is currently or formerly owned by Mary E. Cioppa and is zoned R-1-15. SBL #124.14-1-30. Application #21Z-0013.
4. Kurt Finkbeiner/Faith Lutheran Church, 2576 Browncroft Boulevard, Rochester, NY, 14625 requests approval for a modification of a Conditional Use under Section 250-13.3 and Section 250-5.1-E (1) (a) of the Code and an Area Variance under Section 250-14.3 of the Code to allow an events tent with less setback than required under Section 250-5.1- F (10) of the Code at 2576 Browncroft Boulevard. The property is currently or formerly owned by Faith Lutheran Church and is zoned R-1-20. SBL #123.08-1-2. Application #21Z-0014.
5. Kimberly Krisher/Abundant Flowers, Inc. 295 Lake Road, Ontario, NY, 14519 requests a recommendation of approval for the issuance of an Itinerant Vendor License under Section 162-6-E (1) (b) and Section 162-E (2) of the Code to allow the sales of potted flowers, vegetables and herbs at 1601 Penfield Road. The property is currently or formerly owned by Penfield TK Owner, LLC and is zoned GB. SBL #138.08-1-2./PLZA. Application #21Z-0015.
6. Joel & Jennifer Wittman, 6 Pearl Bush Drive, Penfield, NY, 14526 request an a Area Variance under Section 150-14.3 of the Code to allow pool equipment with less setback than required under Section 250-5.1-F (13) of the Code at 6 Pearl Bush Drive. The property is currently or formerly owned by Joel & Jennifer Whittman and is zoned R-1-20. SBL #124.02-1-45. Application #21Z-0017.
7. Frederick J. Odenbach/Shadow Lake Properties, LLC, 1850 Five Mile Line Road, Penfield, NY, 14526 requests a Special permit under Section 250-10.3-A of the Code to allow a larger freestanding sign than permitted under Section 250-10.12-B (1) of the Code with less setback than permitted under Section 250-10.12-D of the Code at 1850 Five Mile Line Road. The property is currently or formerly owned by Shadow Lake Properties, LLC and is zoned R-1-20. SBL #124.01-2-45.11. Application #21Z-0018.
8. Salvatore Fantauzzo/Fantauzzo Family Brands, Inc., 1661 Empire Boulevard, Webster, NY, 14580 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.6-C (1) (c) of the Code to allow an acupuncture office and apartment at 1651 Empire Boulevard. The property is currently or formerly owned by Fantauzzo Family Brands, Inc. and is zoned LB. SBL #093.19-1-22. Application #21Z-0019.
9. Brian Udovich, 1677 Salt Road, Penfield, NY, 14526 requests an Area Variance under Section 250-14.3 of the Code to allow a larger storage building than permitted under Section 250-5.1-F (12) (a) of the Code at 1677 Salt Road. The property is currently or formerly owned by Brian & Donyel Udovich and is zoned RA-2. SBL #110.04-1-33. Application #21Z-0020.

10. John L. DeMarco, Esq., 1056 Hillsboro Cove, Webster, NY, 14580 requests a Special Permit under Section 250-10.3-A of the Code to allow a freestanding sign with less setback then required under Section 250-10.11-D of the Code at 2526 Browncroft Boulevard. The Property is currently of formerly owned by Browncroft Blvd LLC and is zoned BN-R. SBL #123.07-2-11. Application #21Z-0021.
11. Kevin Farrell/Penfield Storage, 1677 Penfield Road, Rochester, NY, 14625 requests a Special Permit under Section 250-10.3-A of the Code to allow a larger freestanding sign than permitted under Section 250-10.12-B (1) of the Code, a second building sign whereas a maximum of one building sign is permitted under Section 250-10.13-C of the Code and building signage with greater area than permitted under Section 250-10.13-B of the Code at 1677 Penfield Road. The property is currently or formerly owned by Lynn Perry Properties, LLC and is zoned LB and GB. SBL #138.08-1-42.41. Application #21Z-0022.

Please contact the Building and Zoning Department with any questions or concerns.

Amy Steklof
Town Clerk, RMC/CMC